

House File 2366 - Introduced

HOUSE FILE 2366
BY COMMITTEE ON HUMAN
RESOURCES

(SUCCESSOR TO HF 2040)

A BILL FOR

1 An Act relating to the exercise of a mental health advocate's
2 duties.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 229.19, Code 2016, is amended by adding
2 the following new subsection:

3 NEW SUBSECTION. 6. An advocate shall have exclusive
4 control over the performance of the advocate's duties and
5 responsibilities, provided that the advocate performs the
6 advocate's duties in accordance with all of the following:

7 a. The duties enumerated in subsection 1, paragraph "d".

8 b. The guidelines and best practices for the performance of
9 advocates' duties as approved by the judicial council.

10 c. Rules relating to advocates adopted by the state mental
11 health and disability services commission.

12 EXPLANATION

13 The inclusion of this explanation does not constitute agreement with
14 the explanation's substance by the members of the general assembly.

15 Under Code section 229.19, a mental health advocate is
16 appointed by a county board of supervisors and assigned to a
17 person who is involuntarily committed due to a serious mental
18 illness. The advocate's duties include assisting the person in
19 understanding the commitment process, safeguarding the rights
20 of the person, communicating with medical personnel treating
21 the person, and reviewing the person's medical records.

22 This bill provides that a mental health advocate shall
23 have exclusive control over the performance of the advocate's
24 duties and responsibilities provided the advocate performs the
25 advocate's duties in accordance with the duties enumerated for
26 advocates under Code section 229.19, the related guidelines
27 and best practices for the performance of advocates' duties
28 as approved by the judicial council, and rules relating to
29 advocates adopted by the state mental health and disability
30 services commission.